

JUN 20 2003

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

296. *klm*  
AVENTIS CROPSCIENCE N.V.,

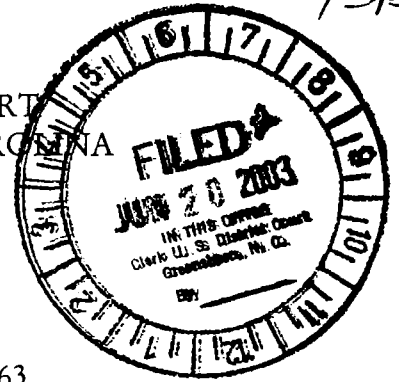
Plaintiff,

v.

PIONEER HI-BRED  
INTERNATIONAL, INC., and DOW  
AGROSCIENCES LLC,

Defendants.

1:00CV00463



ORDER AND JUDGMENT

BEATY, District Judge.

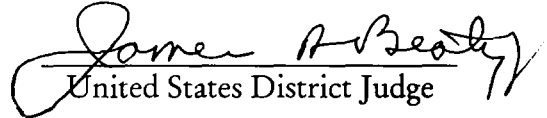
For the reasons stated in the Court's Memorandum Opinion, filed contemporaneously herewith, it is hereby ORDERED, ADJUDGED AND DECREED that Pioneer Hi-Bred International, Inc.'s Motion for Summary Judgment of Unenforceability, Invalidity and Non-Infringement of the Patents-In-Suit Based Upon Collateral Estoppel [Document #254], and Defendant Dow Agrosciences LLC's Motion for Summary Judgment of Collateral Estoppel [Document #257] are GRANTED. IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that all of Plaintiff's claims against Defendants are hereby DISMISSED.

It is hereby ORDERED, ADJUDGED AND DECREED that Defendants' Joint Motion for a Moratorium on Discovery Related to Aventis' Infringement Claims [Document #251] is hereby DISMISSED as being moot.

It is hereby further ORDERED that the Court's stay regarding compliance with Orders relating to discovery is lifted with respect to the only issue remaining in the case, that is

attorneys' fees pursuant to 35 U.S.C. § 285. This matter is therefore ordered to be returned to United States Magistrate Judge Russell A. Eliason for determination of the scope of discovery and scheduling thereof with respect to the remaining issue relating to attorneys' fees.

This, the 20 day of June, 2003.

  
United States District Judge